REMARKS/ARGUMENTS

Claims 1-19 were pending in this application before the present response. Claims 1-19 stand rejected under 35 U.S.C. § 103.

No amendments are made in this response. Claims 1-19 remain pending in this application. Applicants respectfully request reconsideration and allowance of all pending claims, in view of the following remarks.

Claim Rejections – 35 U.S.C. § 103

Claims 1-19

Claims 1-19 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Barkan, European Patent Application Number 0 738 058 (hereinafter "Barkan"), in view of Ganesan, U.S. Patent Number 5,838,792 (hereinafter "Ganesan"). The Applicants respectfully traverse this rejection.

The Barkan reference describes an apparatus for transferring an encryption key in a secure way to facilitate establishing a secure communication link. The Barkan apparatus includes a key management device attached to each user's encryption machine. The key management device contains a list of secure communication partners and their respective encryption keys and parameters. To initiate a secure link session, the user keys-in the identification of the desired addressee. If the details of the addressee are available, the Barkan apparatus automatically transfers the encryption key and the other communication parameters for the addressee to the encryption machine to establish the secure link. If the details of the addressee are not available, the Barkan apparatus automatically connects to a secure key distribution center to get the encryption key and parameters for that addressee. After establishing the secure link session between a first user's encryption machine and a second user's encryption machine, Barkan describes a communication path that is from the first user's encryption machine (element 21), through a communication channel (element 213) for the first user (facility 1), through a communication channel (element 233) for the second user (facility 3), and to the second user's encryption machine (element 23). Thus, the established secure link session in

Barkan is a direct communication path from the first user's encryption machine to the second user's encryption machine.

In contrast, the presently claimed invention, as recited in independent claims 1, 6, 7, and 15, describes a method and system for "establishing a secure communication channel in an IP telephony network … wherein call signaling messages between the first telephony adapter and the second telephony adapter are routed through the first gateway controller and the second gateway controller, and encrypted messages are exchanged between the first telephony adapter and the second telephony adapter on the secure communication channel." A first user is coupled to a first telephony adapter, which is coupled to a first gateway controller. Similarly, a second user is coupled to a second telephony adapter, which is coupled to a second gateway controller. The first gateway controller and the second gateway controller connect to and control user access to the IP telephony network. The path of the communications between the first user and the second user is from the first telephony adapter, then to the first gateway controller, then to the IP telephony network, then to the second gateway controller, and then to the second telephony adapter.

1. In the presently claimed invention, the communications path for call signaling messages from the first telephony adapter to the second telephony adapter is **routed through the first and second gateway controller**, whereas encrypted messages are exchanged between the first telephony adapter and the second telephony adapter on the secure communication channel.

2. Barkan fails to disclose either a first or a second **gateway controller**, as presently claimed. The term "gateway controller" or "media gateway controller" has long been known to persons having ordinary skill in the art; for example, http://tools.ietf.org/html/draft-cuervo-navdec-mg-arch-00 (dated November 1998) describes exemplary functions of a media gateway controller. The Office Action appears to equate the the key distribution centers of Barkan with Applicants' gateway controllers; however, a key distribution center is not a gateway controller. A primary function of a

gateway controller is call signaling – e.g., it forwards call signaling messages between telephony adapters and also includes an encryption key in those signaling messages. In contrast to Applicants' claimed gateway controller, the key distribution center disclosed by Barkan is generally for keeping track of encryption keys.

Thus, the Barkan and Ganesan references, taken either alone or in combination, do not describe a communications path for call signaling messages from the first telephony adapter to the second telephony adapter that is routed through the first and second gateway controllers. The communications path described in Barkan utilizes a wired or wireless communication means on the standard communication channel (element 213) as a direct connection between the first user's encryption machine (facility 1) and the second user's encryption machine (facility 3). Ganesan does not make up for this additional shortcoming of Barkan because it does not describe a communication path for call signaling messages from the first telephony adapter to the second telephony adapter that is routed through the first and second gateway controllers as described in the claims.

Since Ganesan fails to supply features missing from Barkan, the combination of Barkan and Ganesan cannot suggest the presently claimed invention and cannot render the claims obvious. Thus, no matter how Barkan and Ganesan may be combined (even assuming, *arguendo*, that one of ordinary skill in the art would be led to combine them) the resulting combination is not the invention recited in independent claims 1, 6, 7, 11, and 15.

For at least the aforementioned reasons, independent claims 1, 6, 7, 11, and 15 are patentable over the Barkan and Ganesan references, either taken alone or in combination. Thus, the Examiner should withdraw the 35 U.S.C. § 103 obviousness rejection as to independent claims 1, 6, 7, 11, and 15.

Claims 2-5, 8-10, 12-14, and 16-19 depend from either independent claim 1, 6, 7, 11, or 15. For the previously stated reasons, independent claims 1, 6, 7, 11, and 15 are allowable. Since any claim that depends from an allowable independent claim is also

allowable, the Applicants respectfully submit that the Examiner should also withdraw this rejection as to dependent claims 2-5, 8-10, 12-14, and 16-19.

Conclusion

In view of the foregoing discussion, Applicants believe that claims 1-19 are allowable over the cited art. Applicants respectfully submit that all pending claims are in full condition for allowance, and earnestly request that the Examiner withdraw all rejections of the claims and enter a Notice of Allowance at the earliest date possible.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

Respectfully submitted,

ALEXANDER MEDVINSKY, et al.

Date: September 7, 2010   BY: /Stewart M. Wiener/
                                                   Stewart M. Wiener
                                                   Registration No. 46,201
                                                   Attorney for Applicants

Motorola Mobility, Inc.
101 Tournament Drive
Horsham, PA 19044
Telephone: (215) 323-1811
Fax: (215) 323-1300